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PTO/SB/21 (09-04)  
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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/830,211

Filing Date

04/21/2004

First Named Inventor

FEI GE

Art Unit

2168

Examiner Name

JAY A. MORRISON

Attorney Docket Number

50277-2433

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☒

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts under 37  
CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

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After Allowance Communication  
to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☒

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please  
Identify below):

Return receipt postcard

#### Remarks

The Director is hereby authorized to charge any additional fee(s) or underpayments of  
fee(s) under 37 CFR 1.16 and 1.17 to Deposit Account Number **50-1302**  
Deposit Account Name: Hickman Palermo Truong & Becker LLP

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Hickman Palermo Truong & Becker LLP

Signature

*Lawrence R. Goerke*

Printed name

LAWRENCE R. GOERKE

Date

June 8, 2007

Reg. No.

45,927

### CERTIFICATE OF TRANSMISSION/MAILING

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*Trudy Bagdon*

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Trudy Bagdon

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OID 2003-333-01



PTO/SB/31 (04-05)

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

50277-2433

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on June 8, 2007

Signature

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name Trudy BagdonIn re Application of  
Fei Ge et al.Application Number  
10/830,211

Filed

04/21/2004

For **COST-BASED OPTIMIZER FOR AN XML  
DATA REPOSITORY WITHIN A DATABASE**Art Unit  
2168Examiner  
Jay A. MorrisonApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_\_

☒ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1302 I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

- **WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)☒ attorney or agent of record.  
Registration number 45,927☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Signature

LAWRENCE R. GOERKE

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06/14/2007 EAREGAY1 00003002 10630211  
June 8, 2007

01 FC:1401

Date

500.00 CF

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

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OID 2003-333-01